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November 16, 2006

VIA ECF

Hon. Leonard Wexler
United Stets District Court
Long Island Federal Courthouse
Central Islip, New York 11722

Re: Caprino & Armstrong v. Cohen & Slamowitz *et al.*
Case No. : CV-05-4814
Our File No. : 00295.12352

Honorable Judge Wexler:

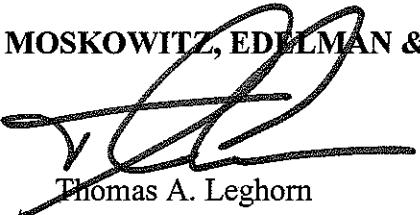
We are writing to join in the November 16, 2006 request of counsel for the defendants, Robert and Vivian Shusteritsch, that the Court's Order approving the stipulation of dismissal filed by counsel for the plaintiff relative to defendant, Kenneth Vega, be vacated.

Attorney Keenan accurately sets forth the fact that Judge Boyle previously rejected this very same stipulation of dismissal because it was not signed by all parties in accordance with Federal Rule of Civil Procedure 41(a)(1). Moreover, the remaining defendants in this lawsuit have already advised the Court in writing that they refuse to consent to the dismissal of Kenneth Vega by stipulation.

For these reasons we join in the request that the Court's Order approving the stipulation of dismissal filed by counsel for the plaintiff relative to defendant, Kenneth Vega, be vacated. If any additional information is required relative to the foregoing, please do not hesitate to contact us.

Very truly yours,

WILSON, ELSER, MOSKOWITZ, EDELMAN & DICKER LLP



Thomas A. Leghorn